



**CUSTOMER PROPRIETARY NETWORK INFORMATION  
COMPLIANCE MANUAL**

**EXPEREO USA, INC.**

The policy of Expereo USA, Inc. ("Expereo" or the "Company") is to comply with the letter and spirit of all laws of the United States, including those pertaining to customer proprietary network information ("CPNI") contained in Section 222 of the Telecommunications Act of 1996, as amended, 47 U.S.C. § 222, and the implementing regulations of the Federal Communications Commission ("FCC"), 47 C.F.R. Part 64, Subpart U. The Company's policy is to protect the confidentiality of CPNI, and to rely on the involvement of high-level management to ensure that no use of CPNI is made until a full review of applicable law has occurred.

The FCC's regulations, 47 C.F.R. § 64.2009, require the Company to implement a system to clearly establish the status of a customer's CPNI approval prior to the use of CPNI, and to inform its personnel as to when they are, and are not, authorized to use CPNI, and to have an express disciplinary process in place. This Manual constitutes the Company's policies and procedures related to CPNI.

All employees are required to follow the policies and procedures specified in this Manual. Any questions regarding compliance with applicable law and this Manual should be referred to Alphons Mulders. Any violation of, or departure from, the policies and procedures in this Manual shall be reported in writing immediately to Alphons Mulders.

## **DEFINITION OF CPNI**

CPNI is customer specific information that a provider possesses due to its provision of a telecommunications or interconnected voice-over-Internet protocol ("VoIP") service. This information includes, but is not limited to, quality, technical configuration, type, destination, location and amount of use of a telecommunications or interconnected VoIP service subscribed to by a customer that the company would possess solely by virtue of the company-customer relationship. For purposes of voice or interconnected VoIP services, CPNI includes but is not limited to call detail records, call plans, and invoice information. CPNI does not include information that identifies a customer's name, listed telephone number, listed address or primary advertising classification, or any combination thereof. General information based on the calling pattern of a group of subscribers, so long as no one individual subscriber can be determined, is not subject to the specific CPNI obligations.

## **PROTECTING CPNI**

It is the general policy of Expereo not to disclose CPNI, or share it with unaffiliated entities, subject to certain exceptions. Expereo may disclose CPNI if necessary for the provision of service or repair and maintenance; for example, CPNI may be disclosed to vendors for purposes of installation or repair of their network services. Expereo may use, disclose, or permit access to CPNI to protect the rights of Expereo, or to protect users of its services or other carriers from fraudulent, abusive or unlawful use of their services. CPNI

may *not* be shared between Expereo and its affiliates unless such entities provide more than one service to the same customer, but in different categories of service.

If Expereo obtains any CPNI of another telecommunications service provider, it must protect that CPNI and use it only in the provision of the service for which the other provider has contracted Expereo to perform.

Expereo may not use, disclose or permit access to CPNI for the purpose of identifying or tracking customers that call competing service providers.

### **USE OF CPNI FOR MARKETING PRACTICES**

FCC rules provide that CPNI may be used or disclosed without customer consent for purposes of marketing services in the same category of services to which the customer subscribes. The FCC considers this type of marketing arrangement under its "Total Service Approach," which permits a service provider to use a customer's CPNI to market service offerings within or related to a customer's existing service, but restricts carriers from using CPNI to market services outside of the categories of service to which a customer currently subscribes. The FCC rules provide that CPNI may be used or disclosed for purposes of marketing services in a different category of service, only with a customer's express consent. The FCC rules also require retention for a minimum of one year of records of all instances in which Expereo disclosed CPNI to a third party, or permitted a third party to access or use CPNI.

Expereo does not disclose or use CPNI in a manner that would require affirmative customer consent. Under a "Total Service Approach," Expereo may market services within the same category of a customer's subscribed services based on the customer's CPNI without obtaining customer approval. In the event that Expereo decides to use CPNI to, for example, market wireless data services to Internet customer from whom it has not obtained contractual consent, then it will provide notice to customers, seek and document their individual affirmative consent, and implement a system to clearly establish the status of customer consent prior to the use of CPNI. All sales personnel must seek and obtain supervisory review and approval of all outbound marketing campaigns to ensure compliance with the FCC's CPNI rules. Records from this review process must be maintained for at least one year.

Following the Total Service Approach, Expereo may market Internet- and VPN-related services based on the customer's network CPNI without obtaining specific customer approval. As such, Expereo may solicit such customer to subscribe to certain services based on the customer's network configuration, without prior customer approval. In the absence of contractual consent, Expereo must obtain affirmative customer consent in the event that it uses customer CPNI to market services that are in different categories of service than the subscribed services, and will implement a system to establish the status of customer consent prior to the use of CPNI. For example, Expereo would only be permitted to use VPN or MPLS customer-specific CPNI to market non-VPN or non-MPLS services (for example voice service) upon receiving express consent from the customer, and implementing a system to establish customer consent prior to the use of CPNI. Marketing material for Expereo products and services must be reviewed by Alphons Mulders for CPNI compliance, and must be

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Effective January 1<sup>st</sup>, 2011



maintained for at least one year after its distribution. All sales personnel must seek and obtain supervisory review and approval of all outbound marketing campaigns to ensure compliance with the FCC's CPNI rules. Records from this review process must be maintained for at least one year.

### **ANTI-PRETEXTING SAFEGUARDS**

The FCC's rules require service providers to initiate safeguards to protect against pretexting, which is the practice of fraudulently obtaining call detail and other private communications records of another person. Expereo customers may obtain CPNI concerning their accounts only by contacting Alphons Mulders. It is the policy of Expereo not to disclose CPNI to requesting customers unless identifying customer specific account information is provided.

### **PROCEDURES FOR UNAUTHORIZED DISCLOSURES OF CPNI**

It is the policy of Expereo to report any unauthorized disclosure of CPNI, whether intentional or unintentional, to the Company's management.

Pursuant to FCC rules, Expereo will notify the United States Secret Service ("Secret Service") and the Federal Bureau of Investigation ("FBI") of the unauthorized disclosure, as soon as practicable, and in any event no later than seven (7) business days after the unauthorized disclosure. Expereo will not notify the customer or disclose the breach until seven (7) business days after such notification to the Secret Service and the FBI. Expereo will maintain for two years records of all unauthorized disclosures of CPNI and of FBI, Secret Service, and customer notifications.

### **CPNI COMPLIANCE CERTIFICATIONS**

Expereo will file a CPNI compliance report with the FCC annually on or before March 1. Such reports will provide information on Expereo's CPNI practices and information concerning any unauthorized disclosure or use of CPNI. These reports will be filed by Alphons Mulders or another designated officer of the company.

### **NOTIFICATION AND TRAINING**

All Expereo employees with access to CPNI must review this policy manual and affirmatively agree to the policies and restrictions herein. A violation of the CPNI rules by an employee of Expereo will be subject to disciplinary action up to and including termination.